IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO. 3378 OF 2005 .

Sheshnarayan Pandey .. Petitioner
vs.
Umedbhai Patel English School. .. Respondents

WITH

WRIT PETITION NO.3390 OF 2005.

Vijay Lalit Patel. .. Petitioner.
V/s.
Umedbhai Patel English School .. Respondents.

Shri M.P. Vashi for the petitioner.

Shri S.J. Parilkar for the respondents.

CORAM : V.C.DAGA, J.

DATED : 16.12.2005.

P.C. :

. Heard learned Counsel for the petitioners.

2. Substantive grievance made by the petitioners in these petitions is that the amendment application moved by the petitioners before the School Tribunal was not considered or rather rejected by the School Tribunal by order dated 4.5.2005. After having gone through the said order, it is difficult to accept the contention that the application was rejected by the said order dated 4.5.2005.

3. Both the parties agree that there is no

other order except the said order dated 4.5.2005. It is, thus, clear that the Tribunal did not consider the application for amendment on merits. It is yet to be decided and the same is still pending. In the circumstances, it would be open for the petitioners to amend their application for amendment so as to join "Umedbhai Shankarbhai Patel Trust" as party- respondent to the appeal. In the event such application is allowed and petitioners may apply for interim relief afresh, the Tribunal shall consider and decide the same on its own merits in accordance with law without getting influenced with the order impugned in the petition. All rival contentions are kept open.

4. At this stage, learned Counsel for the petitioners submitted that the tribunal be directed to dispose of the application within a time bound schedule. Accordingly, the Tribunal is directed to hear and decide the application as expeditiously as possible, at any rate, within a period of 6 months from the date of receipt of writ from this Court.

. Petition stands disposed of in terms of this order with no order as to costs.